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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

K. Schoenafinger, et al

Examiner: DAVIS, Zinna Norhington

Art Unit: 1625

Application No.: 10/617,498

Filed: July 11, 2003

Title: **Heterocyclically Substituted Benzoylureas,
Process for Their Preparation and Their
Use as Pharmaceuticals**

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.56, 1.97 AND 1.98

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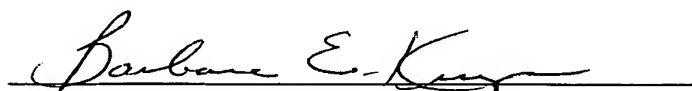
Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

- ☐ (a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. 18-1982.

- ☒ (b) This Information Disclosure Statement is filed after the period set forth in 37 C.F.R. 1.97(b), but is believed to be filed before the mailing date of a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.
- ☐ (1) The undersigned attorney certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement;
- ☐ (2) The undersigned attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned attorney after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement; or
- ☒ (3) This Information Disclosure Statement is accompanied by a transmittal letter in which payment of the fee set forth in §1.17(p) and required by 37 C.F.R. 1.97(c) is authorized.

Based on the new USPTO procedures, it is not required to submit copies of U.S. patents and U.S. publications for all applications filed after June 30, 2003. Therefore a copy of the four (4) U.S. Patent Documents listed on the attached PTO-1449 form are not enclosed with this Information Disclosure Statement.

Respectfully submitted,



Barbara E. Kurys, Reg. No. 34,650
Attorney/Agent for Applicant

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, NJ 08807-0800
Telephone (908) 231-2965
Telefax (908) 231-2626
Aventis Docket No. DEAV2002/0050US NP

PTO/SB/08A (10-96)
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/617,498
				Filing Date	07-11-2003
				First Named Inventor	SCHOENAFINGER
				Group Art Unit	1625
				Examiner Name	DAVIS, Zinna Northington
				Attorney Docket Number	DEAV2002/0050 - US - NP
Sheet	1	of	4		

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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		EP	0 242 322		Sandoz-Erfindungen Verwaltung	12-16-1992		
		EP	0 462 884		ADIR Et Compagnie	06-16-1993		
		EP	0193249		Duphar International Research	09-03-1986		
		DE	10116768		DEFOSSA	10-10-2002		
		DE	10142734		GLOMBIK	03-27-2003		
		WO	00/64876		MCGEEHAN	11-02-2000		
		WO	00/64888		MCGEEHAN	11-02-2000		
		WO	01/94300		DEFOSSA	12-13-2001		
		WO	02/096864		DEFOSSA	12-05-2002		
		WO	WO 00/40569		Alizyme Therapeutics Limited	07-13-2000		

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		WO	WO 00/63208		NOVO Nordisk A/S	10-26-2000		
		WO	WO 00/66585		Neurogen Corporation	11-09-2000		
		WO	WO 00/71549		Knoll Aktiengesellschaft	11-30-2000		
		WO	WO 00/78312		Merck & Co., Inc.	12-28-2000		
		WO	WO 01/09111		Eli Lilly And Company	02-08-2001		
		WO	WO 01/83451		Asahi Kasei Kabushiki Kaisha	11-08-2001		
		WO	WO 01/85695		Bristol-Myers Squibb Co.	11-15-2001		
		WO	WO 01/91752		Merck & Co., Inc.	12-06-2001		
		WO	WO 97/26265		NOVO Nordisk A/S	07-24-1997		
		WO	WO 97/41097		Dr. Reddy's Research Founda	11-06-1997		

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Sheet	4	of	4

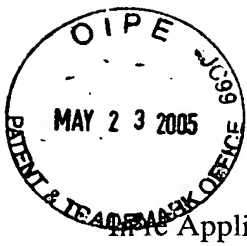
OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ASAKAWA A. et al., Cocaine-Amphetamine-Regulated Transcript Influences Energy Metabolism, Anxiety And Gastric Emptying In Mice, Hormones Metabolism Research, (2001), Vol. 33, pp. 554 - 558	
		DRUECKES P. et al., Photometric Microtiter Assay Of Inorganic Phosphate In The Presence Of Acid-Labile Organic Phosphate, Analytical Biochemistry, (1995), Vol. 230, pp. 173 - 177	
		ENGERS H.D. et al., Kinetic Mechanism Of Phosphorylase a. I. Initial Velocity Studies, Journal Of Biochemistry, (1970), Vol. 48, pp. 746 - 754	
		OKADA Hiroshi et al., Synthesis And Antitumor Activities Of Prodrugs Of Benzoylphenylureas, Chemical And Pharmaceuticals Bulletin, (1994), Vol. 42, No. 1, pp. 57 - 61	
		SALVADOR Javier et al., Perspectives In The Therapeutic Use Of Leptin, Expert Opinion On Pharmacotherapy (2001), Vol. 2, No. 10, pp. 1615 - 1622	
		TYLE Praveen, Ionophoretic Devices For Drug Delivery, Pharmaceutical Research, (1986), Vol. 3, No. 6, pp. 318 - 326	
		ZUNFT H.J.F. et al., Carob Pulp Preparation For Treatment Of Hypercholesterolemia, Advances In Therapy, (2001), Vol. 18, No. 5, pp. 231 - 236	

Examiner Signature		Date Considered	
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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
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Respectfully submitted,

Barbara E. Kurys
Barbara E. Kurys, Reg. No. 34,650
Attorney/Agent for Applicant

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, NJ 08807-0800
Telephone (908) 231-2965
Telefax (908) 231-2626

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